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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13
14 FACEBOOK, INC.,

15 Plaintiff,

16 v.

17 STUDIVZ LTD., HOLTZBRINCK
18 NETWORKS GmbH, HOLTZBRINCK
VENTURES GmbH, and DOES 1-25,

19 Defendant.
20 Doc. 151

Case No. 5:08-CV-03468 JF
Assigned To: Hon. Jeremy Fogel

**DECLARATION OF KARSTEN BUTZKE IN
SUPPORT OF STUDIVZ'S MOTION TO
DISMISS RE *FORUM NON CONVENIENS***

[Supplemental Reply Briefs; Supplemental
Declaration of Anton Maurer Filed Concurrently]

Date: April 17, 2009
Time: 9:00 a.m.
Place: Courtroom 3

Complaint Filed: July 18, 2008

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BUTZKE DECLARATION IN SUPPORT OF
MOTIONS TO DISMISS
5:08-CV-03468 JF

DECLARATION OF Karsten Butzke

I, Karsten Butzke, declare:

1. I am Accountant at StudiVZ, Ltd. in Berlin, Germany ("StudiVZ"). In that capacity, I have access to StudiVZ's books and records concerning its prior employees and interns. I have personal knowledge of the facts set forth herein and, if called as a witness, could and would testify competently thereto under oath. This declaration is submitted concurrently with defendants' supplemental replies in support of their Motions to Dismiss.

2. Taylor Mingos was never an employee, and was never an executive, officer or director, of StudiVZ. He spent some weeks at StudiVZ as a student intern in the Summer of 2006. Taylor Mingos never entered an employment contract with StudiVZ, never had a StudiVZ personnel number, and never received a salary from StudiVZ (all things that StudiVZ employees always have).

3. Tobias Walter had an internship at StudiVZ from June 19, 2006 until August 19, 2006. From January 1, 2007 until September 30, 2007 he was Chief Marketing Officer of StudiVZ and in that capacity was in charge of StudiVZ's marketing in connection with StudiVZ's efforts to set up student-oriented social networking websites in Poland, Italy, France, and Spain (the "Non-German StudiVZ European Websites"). StudiVZ has since closed down all of the Non-German StudiVZ European Websites.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct, and that this declaration was executed in Berlin, Germany on April 10, 2009.

/s Karsten Butzke 